

Before the  
Federal Communications Commission  
Washington, DC 20554

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In the Matter of : )  
 )  
Amendment of Part 95 of the ) WT Docket 95-102  
Commission's Rules to )  
Establish a Very Short Distance )  
Two-Way Voice Radio Service ) DOCKET FILE COPY ORIGINAL

Comments to a Notice of Proposed Rule Making

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( A mixture for disaster )
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(I)

### Introduction

As current and Licensed user in the GMRS Radio Service, I would like to voice my opposition to the amendment before the Commission- WT Docket 95-102.

I have held a Commercial Radio Telephone License for over 20 years and have an Advanced Class Amateur Radio License, and I have worked in the Commercial and Law Enforcement end of Mobile Two-Way Communications for over 25 years. I feel that I can speak as a Professional about the subject at hand. Again I strongly oppose the changes in Part 95 of the rules and offer the following in support of my opposition.

(II)

### Inevitable Interference

My major concern over the use of the "interstitial" frequencies at 467 Mhz as proposed, would significantly derate the performance of existing mountain top receivers that utilize the 467 Mhz spectrum as the input for Repeater operation. It has been my experience that the low cost Radios as proposed by Tandy and others cannot maintain the stability over time and that would be required to stay on channel, in comparison to the Commercial Radios offered for Business and Law Enforcement that cost Hundreds of dollars more.

(III)

Mixing Licensed and Unlicensed Users  
( a mixture for disaster)

Let's not have History repeat it's self the FCC need only look back several years ago when the FCC allowed Licensed and Unlicensed users share the same spectrum Remember the " low cost" radios that proliferated the market and shared the same channels as the 27 Mhz CB Radio users.

Remember when the FCC moved the so called Kiddie Walky-Talkies to the 49 Mhz spectrum on top of the cordless phone spectrum which precipitated a move by the cordless phone manufactures to appeal for relief and the FCC gave them spectrum at 900 Mhz. how many times does something like this have to happen before the FCC learns from it's mistakes ?. It was easy for the consumer to purchase new equipment and get away from the interference that was created the because of the relatively low cost of the equipment involved, that would not be the case for us, our equipment investment can run up to several Thousands of Dollars, and site rental fees for our mountain top repeaters is an on going expenditure.

(IV)

Remember the CB Debacle

I trust the FCC can look back and remember the abuses that have and are ongoing in the CB radio service the foul language and the ongoing use of Illegal equipment today.

By delicensing the GMRS Radio Service or allowing the use of this spectrum by licensed and unlicensed users will surely allow for the migration of the abuses that are now going on in the CB radio service.

Any one in the Two-Way Radio business knows full well the amount of Illegal equipment on the market, the FCC Banned the use of Amplifiers to boost the signal of the CB radios. I can tell you with a great deal of confidence that any one looking for this type of equipment need not look far before finding it. I know the FCC will say that the use of amplifiers will not be allowed in the proposed rules, however you must remember that the type of amplifier that would be required to boost the signal for this type of service is Legally available now !. And any one who thinks that suppliers of this type of equipment will not target this new service for their product is living in a fantasy land. Then the battle lines will be drawn between the Licensed and Unlicensed users. I ask will the FCC be their for us, the Licensed user I think not! the FCC gave up on the CB radio Service in it's attempt to enforce the rules and I envision the same for the Licensed user in the GMRS Radio Service.

(V)

**Who will protect the licensed user**

With the ongoing budget restraints that are being proposed by Congress I know that the first thing to go is the enforcement budget of the FCC. So who is going to protect us from the certain abuses that will surely follow when deregulation occurs and the nation finds out about this new service, Will they be happy with the low power line of sight communications? Will they be happy with only the Fourteen Channels available? Will they seek out ways to increase the range of communications? Will they seek to find a "private" channel to use? All of this occurred in the CB radio service and the FCC felt compelled to increase the number of channels available, and all that did was spread the abuses to more channels.

The Tandy proposal would make the FRS operation secondary to the primary GMRS Radio Service this would mean that the new service would have to accept any interference from the Primary GMRS Radio service. However I see the FCC ignored this proposal and failed once again to protect the existing Lawful users of the spectrum.

If this Proposal should become law then I strongly urge the FCC to incorporate protection for the existing Lawfull users by insisting that any new service be on a secondary basis.

(VI)

Other Spectrum Available

I strongly Urge the FCC to look at Part 15 for locating this new service. There is ample spectrum for the low cost short range type of communications that Tandy desires. And the compelling need by the public to Boost the range of the equipment so as to increase the useful communications range would be minimal because the type of equipment is not readily available and would limit the chances for interference to existing users.

Also with increasingly down-sizing the FCC why not allow the frequencies that are set aside for FCC use only and are not being utilized by the FCC would this not be one Ideal place to put the new service.

(VII)

Protecting our investment

The investment in my own system which consists of three mountain top repeaters runs about Eight Thousand Dollars and monthly site rentals fees of Seventy Five Dollars a Month per site. one of the sites has the National Motorist Assistance Channel and serves a wide area of northern rural Nevada and is a open repeater for the public using the Motorist Assistance Channel. I shudder at the thought of some one causing harmful interference on any of these repeaters.

So I ask again who protects my investment who do I turn to for relief when some one ties up the input to my repeater and causes excessive air time, who will pay the added expense involved for the use of the electricity needed or the additional maintenance that will be required when someone decides to use an illegal amplifier and ties up the repeater so no one with a license can use it. I ask you, will you be there for me and the thousands of other repeater owners? Or will this service be doomed to be another Unlicensed Unregulated CB radio service.

Again I would the Urge the Commission to rethink this proposal and find other spectrum for the Family Radio Service or guarantee us the protection from the inevitable problems that will occur as outlined above.

Thank you for allowing me to express my concerns in this matter.